

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

JEREMY NICHOLL,

Plaintiff,

v.

SECURITY STUDIES GROUP,

Defendant.

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Civil Action No. 1:21-cv-563

ORDER

On March 25, 2022, United States Magistrate Judge John F. Anderson entered the Proposed Findings of Fact and Recommendation (the “Report”) in this case, recommending that default judgment be entered in favor of Plaintiff Jeremy Nicholl and against Defendant Security Studies Group. Plaintiff is a documentary photographer and defendant is an online journalism website that publishes information relating to national security issues. At some point, defendant used one of plaintiff’s copyrighted works on its website as a preview for an article and as the header at the top of the article without permission. Plaintiff notified defendant of its alleged infringement by email and served a copy of the complaint on defendant’s registered agent.

Upon consideration of the record and Judge Anderson’s Report, to which no objections have been filed, and having found no clear error,¹

The Court **ADOPTS**, as its own, the findings of fact and recommendations of the United

¹ See *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (in the absence of any objections to a magistrate’s report, the court “need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”).

States Magistrate Judge, as set forth in the Report (Dkt. 14).

Accordingly,

It is hereby **ORDERED** that plaintiff's motion for default judgment (Dkt. 8) is **GRANTED**.

It is further **ORDERED** that **DEFAULT JUDGMENT** be entered in favor of Plaintiff and against Defendant.


It is further **ORDERED** that default judgment is entered against Defendant and in favor of Plaintiff in an amount of \$25,463.29, which consists of (i) \$19,215 in statutory damages; and (ii) \$6,248.29 in attorney's fees and costs.

It is further **ORDERED** that defendant is **PERMANENTLY ENJOINED** from using the copyrighted work at issue in this case. Namely, defendant is enjoined from using a photograph entitled "ru135302.jpg," which was copyrighted on December 21, 2012 with the Registration Number VA 1-849-083.

The Clerk of the Court is directed to enter Rule 58 judgment against Defendant and in favor of Plaintiff in an amount of \$25,463.29, which consists of (i) \$19,215 in statutory damages; and (ii) \$6,248.29 in attorney's fees and costs.

The Clerk is further directed to provide a copy of this Order to all counsel of record, to Defendant's last known addresses of record, and to place this matter among the ended causes.

Alexandria, Virginia
May 26, 2022



The Honorable T.S. Ellis, III
Senior United States District Judge